DETAILED ACTION

1.   Claims 2-6 and 12-22 are presented for examination.

2.   The text of those sections of Title 35, USC code not included in this action can be found in the prior Office Action.

Claim Rejections - 35 USC § 103

3.   Claims 4-6 and 12-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen [U.S. Pat. No. 5751968] in view of McLain [U.S. Pat. No. 6493758].

4.   Cohen was cited in the previous office action.

5.   As to claims 14-15, Cohen teaches the invention substantially as claimed including: a method of, at a client device, forming a media presentation from multiple related files, including a control information file [54, Fig.5; col.6, lines 26-40], stored on one or more server computers within a computer network, the method comprising:

        downloading the control information file to the client device [56, Fig.5];

        the client device parsing the control information file [58, Fig.5; col.6, lines 26-40; i.e., the interactive display application program must parse the connection file in order to obtain the reference for segment file and its associated status]; and

        based on the control information file, the client device:

retrieving a first file and using contents of the first file to begin a media presentation [60, Fig.5; col.6, lines 41-44];

concurrent with the media presentation, retrieving a next file; and

using content of the next file to continue the media presentation [64, Fig.5; col.6, lines 44-54].

Cohen does not specifically teach how the connection file is formed and using what format. That is, Cohen does not indicate whether the parameters contained in the control information file are extracted via parsing or not. However, in the same field of endeavor, McLain teaches that the control information file may be written in the form of XML file and use the browser's parser for extracting parameters therein [McLain: see col.1, lines 43-65].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used XML as an alternative format for composing Cohen's connection file because XML is well known for its flexibility, with which it would make Cohen's connection file more dynamic and adaptable for containing the rather sophisticated file status information [col.6, lines 26-40].

6. As to claims 4-5, Cohen further teaches that the media presentation comprises an audio presentation or a video presentation [col.1, lines 49-54].

7. As to claim 6, Cohen in view of McLain teaches that partitioning of media presentation information between the multiple related files is described within the control information file

using tags corresponding to respective files [i.e., XML uses tags for specifying various

parameters and values].

8.   As to claim 16, Cohen in view of McLain further teaches that the XML file identifies

multiple alternative files corresponding to a given segment of the media presentation, the method

further comprising selecting and retrieving one of the multiple alternative files [Cohen: col.6,

line 63 – col.7, line 5].

9.   As to claims 12-13 and 17-22, since the features of these claims can also be found in

claims 4-6 and 14-16, they are rejected for the same reasons set forth in the rejection of claims 4-

6 and 14-16 above.

10.   Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen [U.S.

Pat. No. 5751968], as applied to claims 4-6 and 12-22 above and McLain [U.S. Pat. No.

6493758], as applied to claims 4-6 and 12-22 above, further in view of Lin et al.(hereafter

"Lin")[U.S. Pat. No. 6405256].

11.   Lin was cited from the previous office action.

12.   As to claim 2, Cohen does not specifically teach that partitioning of media presentation

information between the multiple related files is determined by information about the client.

However, Lin teaches a data streaming method/system wherein partitioning of streamed data is based on the buffering capability of the client device [Lin: col.6, lines 47-50]. It would have been obvious to one of ordinary skill in the art at the time the invention was made that Cohen's data file size should be a factor of the client's buffering and display capability because this criterion makes sure that data streaming in Cohen's media presentation can be achieved without overflowing the client's buffering capacity [col.5, lines 39-53].

13.   As to claim 3, Cohen does not specifically teach that partitioning of media presentation information between the multiple related files is determined by information about the computer network.

However, Lin teaches a network comprising a plurality of caching servers, each with expandable buffer for storing additional segments of streamed data for absorbing network congestion [Abstract]. Since the caching servers and the network congestion are part of the information of the network, it is obvious that the data segmentation in Cohen's network, which obviously also comprises a plurality of communication nodes, should also be based on the network's buffering capability in each intermediate network node, because by doing so one would be able to anticipate Cohen system's tolerance against traffic fluctuation.

14.   Claims 2-6 and 12-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLain [U.S. Pat. No. 6493758] in view of White et al. (hereafter "White") [U.S. Pat. No. 6005563].

15.   As to claims 14-15, McLain teaches the invention substantially as claimed including: a

method of, at a client device, forming a media presentation from multiple related files [Figs. 7A-

7C], including a control information file [i.e., the CDF; see col.1, lines 43-65] , stored on one or

more server computers within a computer network [Figs.1 and 10; note that (i) in the case of off-

line browsing the host computer (16, Fig.1) functions as a server with respect to the mobile

device (18, Fig.1) and (ii) in the case of on-line browsing, the content provider functions as a

server and the mobile device a client (see 12, 18, Fig.10)], the method comprising:

        downloading the control information file to the client device [col.3, lines 21-32 and 50-

56];

        the client device parsing the control information file, wherein the control information file

is an XML file [i.e., by default the CDF file is parsed by the receiving client's browser because it

is written in XML format].

        McLain teaches that the CDF file may contain a list of sound files for retrieving and

rendering at the client device. McLain does not specifically teach that media presentation of an

audio file and retrieval of its next file is performed concurrently.

        However, in the same field of endeavor, White teaches a method for playing background

music by playing an audio file and downloading its next file concurrently [1101, 1102, Fig.11B;

col.14, lines 37-43].

        It would have been obvious to one of ordinary skill in the art at the time the invention

was made to adopt the same concurrency in McLain's system because (1) audio clips need to be

rendered in a smooth fashion and (2) by pipelining the retrieving and rendering process it would

reduce transmission latency and avoid the burden of storing the entire set of audio clips locally

[McLain: col.11, line 59 – col.12, line 23, wherein downloading files and filtering are performed in a streaming process].

16.   As to claims 2-3, McLain further teaches that partitioning of media presentation information between the multiple related files is determined by information about the client and about the computer network [Abstract; col.11, lines 12-32; col.7, line 38 – col.8, line 36; note that since the receiving buffer of the mobile device is also part of the network, the capabilities of the mobile device are also part of the network parameters (e.g., communication bandwidth)].

17.   As to claims 4-5, McLain further teaches that the media presentation comprises audio and/or video presentations [e.g., Figs. 7B-7C; col.10, line 61- col.11, line 9].

18.   As to claim 6, McLain further teaches that partitioning of media presentation information between the multiple related files is described within the control information file using tags corresponding to respective files [col.3, lines 19-26, wherein XML uses tags to define various parameters (see also Table 1)].

19.   As to claim 16, McLain further teaches that the XML file identifies multiple alternative files corresponding to a given segment of the media presentation [e.g., in terms of audio clips], further comprising selecting and retrieving one of the multiple alternative files [col.9, line 60 – col.10, line 34].

20.   As to claims 12-13 and 17-22, since the features of these claims can also be found in claims 2-6 and 14-16, they are rejected for the same reasons set forth in the rejection of claims 2-6 and 14-16 above.

        Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571) 272-3969. The examiner can normally be reached on Monday-Friday(8:00-5:00).

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

                (703)746-7239 for official communications;

                (703)746-7238 for after final communications; and

                (703)746-5516 for status inquires draft communication.

        Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Wen-Tai Lin

June 19, 2008

/Wen-Tai Lin/

Primary Examiner, Art Unit 2154